IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8620 OF 2007

P.M.Rungta .. Petitioner

Versus

Sardar S.C.Angre & Ors. .. Respondents

Mr.P.S.Dani i/b. M/s.Sarvankar & Co. for petitioner

Mr.A.S.Champawat for respondents.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 10th December 2007

P.C.

. There is no reason to interfere with the order refusing interim stay of the order of lower appellate court, inasmuch as the lower appellate

court has rightly observed that the controversy with regard to the premises being repaired or not under the subject permission is a matter which must be finally decided. If the petitioner is allowed to proceed with the work that would amount to deciding the matter finally.

2. In such circumstances, petition dismissed. However, the appellate court to endeavour and dispose of the pending appeal as expeditiously as possible and in any event within three months from the date of receipt of this order, uninfluenced by its observations in the impugned order so also dismissal of this petition.

(S.C.Dharmadhikari, J)